

**Stanhope Land Use Board
October 17, 2016
Regular Meeting
Minutes**

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**STANHOPE
BOROUGH**

CALL MEETING TO ORDER:

Chairman Maguire called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Maguire invited all those present to stand in a salute to the colors.

STATEMENT:

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Meeting was forwarded to the New Jersey Herald and Daily Record on January 12, 2016 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 11:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place, within ten (10) days of this meeting.

At this time, please turn off all cell phones.

ROLL CALL:

Nicholas Bielanowski - present
James Benson – absent
Michael Depew - present
Rosemarie Maio - present

Thomas Pershouse - absent
John Rogalo – absent
Joseph Torelli - present
Paula Zelif-Murphy - present
John Maguire – present

Others present: Board Secretary Ellen Horak

NEW BUSINESS

Resolution Appointing Board Attorney

**RESOLUTION APPOINTING LAND
USE BOARD ATTORNEY**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Legal services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

NOW, THEREFORE, BE IT RESOLVED that the firm of **Criscuoli & Gavan, LLC** is hereby appointed as Attorney for the Land Use Board of Stanhope for the period October 17, 2016 to December 31, 2016, with the understanding that **Glenn T. Gavan, Esq.** will be primarily responsible for the work done for the Board.

BE IT FURTHER RESOLVED that the aforesaid is a member in good standing of his profession.

BE IT FURTHER RESOLVED that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Criscuoli & Gavan, LLC's professional services.

BE IT FURTHER RESOLVED that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Mayor Maio, seconded by Ms. Zeliff-Murphy and carried by the following unanimous roll call vote, the foregoing resolution was adopted.

AFFIRMATIVE: Mr. Bielanowski, Mr. Depew, Mayor Maio, Mr. Torelli, Ms. Zeliff-Murphy,
Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

MINUTES

September 12, 2016 Regular Meeting and Closed Session – On motion by Ms. Zeliff-Murphy, seconded by Mr. Torelli, the Minutes of the September 12, 2016 meeting and closed session were approved on majority voice vote. Mr. Bielanowski abstained.

CORRESPONDENCE

09-28-16 Eric Keller – Comments to Resolution of Memorialization re: Bruzzese Final Major Site Plan Application re: Blk 11207 Lot 11
10-11-16 Roger Thomas, Dolan & Dolan – Billing for Hoer Properties and Mr. & Mrs. Pote

On motion by Mr. Torelli, seconded by Mayor Maio and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

COMPLETENESS

16-03, Cellco Partnership d/b/a Verizon Wireless
Block 11801, Lot 1 – Use & Bulk Variance and Site Plan Waiver
Appl Received: 10/06/16 45 days: 11/20/16

Chairman Maguire stated the Completeness Review Committee reviewed the application and recommends it be deemed complete pending receipt of the Certification that water and sewer fee are up-to-date. On motion by Mr. Bielanowski, seconded by Mr. Torelli and carried by the following unanimous roll call vote, 16-03 Cellco Partnership d/b/a Verizon Wireless Use and Bulk Variance and Site Plan Waiver application for Block 11801, Lot 1 was deemed complete pending receipt of a Certification that water and sewer fees are current.

AFFIRMATIVE: Mr. Bielanowski, Mr. Depew, Mayor Maio, Mr. Torelli, Ms. Zeliff-Murphy,
Chairman Maguire

OPPOSED: None
ABSTENSIONS: None

The Board Secretary was instructed to send the application to the Board Engineer for his review and comment. The hearing for this application is scheduled for the next meeting.

RESOLUTION OF MEMORIALIZATION:

16-02, Vincenzo Bruzzese

Block 11207, Lot 11 – Site Plan Application

Approval Granted: 07/11/16

Chairman Maguire noted the Board Engineer provided comments on the Resolution of Memorialization. The Board agreed that the Board Engineer's comments should be incorporated into the Resolution. The Secretary informed the Board that Dennis McConnell, attorney for the applicant, was in agreement with the Resolution of Memorialization, as revised with the Board Engineer's comments. On motion by Mayor Maio, seconded by Mr. Torelli and carried by the following majority roll call vote, the Board adopted the Resolution of Memorialization, as amended to include the comments of the Board Engineer, memorializing action taken at the July 11, 2016 meeting granting the final major site plan application of Vincenzo Bruzzese for Block 11102, Lot 8.

AFFIRMATIVE: Mr. Bielanowski, Mr. Depew, Mayor Maio, Mr. Torelli, Chairman Maguire
OPPOSED: None
ABSTENSIONS: Ms. Zeliff-Murphy

BILLS:

	Dolan & Dolan	
09/27/16	Re: Hoer, March & April 2016	\$476.44
09/27/26	Re: Pote, April 2016	\$606.38
09/27/17	Re: Bruzzese, July & Sept. 2016	\$952.88

Chairman Maguire noted the Board received 3 bills from Dolan & Dolan, two of which are for services provided many months ago. The bills are for meeting that Cliff Gibbons attended. The Board Secretary sent emails to Cliff Gibbons requesting the bills, but got no response. Chairman Maguire called Roger Thomas and he sent the bills. The Board Secretary received the bills on September 28, 2016. Chairman Maguire questioned the amounts charged and Roger agreed to reduce the bill for Mr. and Mrs. Pote. Chairman Maguire stated the contract with Dolan & Dolan states all bills are to be received within 60 days of service being provided. If the bills are not submitted within that time period, the Board has no obligation to pay same. Services rendered during the Pote and Hoer applications are for the months of March and April which is way beyond the 60-day period stipulated in the contract. Services rendered for Mr. Bruzzese's application is for July 11 and September. The Board Secretary informed the Board that Mr. and Mrs. Pote have been requesting a refund of their escrow balance since August. The Board discussed the lengthy amount of time between services rendered and receipt of the bills and the language in the contract with Dolan & Dolan.

On motion by Mayor Maio, seconded by Mr. Depew and carried by the following unanimous roll call vote, the Board did not approve payment of the invoices from Dolan & Dolan for Hoer and Pote, based upon the fact that the invoices were not received in a timely manner as stipulated in the contract.

AFFIRMATIVE: Mr. Bielanowski, Mr. Depew, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy,
Chairman Maguire
OPPOSED: None
ABSTENSIONS: None

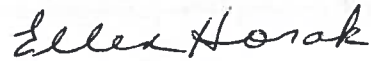
On motion by Ms. Zelif-Murphy, seconded by Mr. Torelli, and carried by the following majority roll call vote, the Board approved the bill of Dolan & Dolan for the Bruzzese application.

AFFIRMATIVE: Mr. Bielanowski, Mr. Depew, Mr. Torelli, Ms. Zelif-Murphy, Chairman
Maguire
OPPOSED: Mayor Maio
ABSTENSIONS: None

ADJOURNMENT:

On motion by Mr. Torelli, seconded by Mr. Depew, it was the consensus of the Board to adjourn the meeting at 7:15 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary